



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

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Application of Southern California Edison
Company (U 338-E) for Approval of the Results
of Its 2013 Local Capacity Requirements Request
for Offers for the Moorpark Sub-Area.

A.14-11-016
(Filed November 26, 2014)

**SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) MOTION FOR LEAVE TO
FILE THE CONFIDENTIAL VERSION OF ITS RESPONSE TO APPLICATIONS FOR
REHEARING OF DECISION 16-05-050 UNDER SEAL**

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Dated: **July 18, 2016**

**SOUTHERN CALIFORNIA EDISON COMPANY’S (U 338-E) MOTION FOR LEAVE TO
FILE THE CONFIDENTIAL VERSION OF ITS RESPONSES TO APPLICATIONS FOR
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Pursuant to Rules 11.1 and 11.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), Southern California Edison Company (“SCE”) respectfully files this Motion for Leave to File the Confidential Version of its Response to Applications for Rehearing (“AFRs”) of Decision (“D.”) 16-05-050 Under Seal (“Motion”). Concurrently with this Motion, SCE is filing a confidential and a public redacted version of its Response to AFRs of D.16-05-050 (“Response to the Parties’ AFRs”). SCE moves the Commission for an order granting leave to file the confidential version of its Response to the Parties’ AFRs under seal.

This Motion is made pursuant to D.06-06-066, Public Utilities Code Section 454.5(g), and General Order 66-C. The confidential version of the SCE’s Response to the Parties’ AFRs includes grey shaded information identifying confidential bid information regarding the participating bids SCE received from counterparties in SCE’s Local Capacity Requirements (“LCR”) Request for Offers (“RFO”) and confidential analysis involved in scoring and evaluating participating bids. As explained in Section I below, the Matrix of Allowed Confidential Treatment Investor Owned Utility Data (“Matrix”) appended to D.06-06-066

provides that bid information and analysis involved in scoring and evaluating participating bids is confidential information, market sensitive information, and therefore must be protected from public disclosure. Additionally, the information must be protected from public disclosure pursuant to Public Utilities Code Section 454.5(g) and General Order 66-C.

I.

THE CONFIDENTIAL INFORMATION IN SCE'S RESPONSE TO APPLICATIONS FOR REHEARING OF D.15-11-041 IS PROTECTED UNDER THE MATRIX IN D.06-06-066, PUBLIC UTILITIES CODE SECTION 454.5(G), AND GENERAL ORDER 66-C

In D.06-06-066, the Commission set forth the standard for designating information as confidential in Commission proceedings. As part of the decision, the Commission established the Matrix, which identifies several categories of data and the level of confidentiality granted to each category. Specifically, in D.06-06-066, the Commission stated that “[w]here a party seeks confidentiality protection for data contained in the Matrix, its burden shall be to prove that the data match the Matrix category. Once it does so, it is entitled to the protection the Matrix provides for that category.”¹ The Commission clarified how parties should comply with the Matrix in D.08-04-023.²

Additionally, Public Utilities Code Section 454.5(g) requires the Commission to maintain the confidentiality of “market sensitive information.” It provides: “The commission shall adopt appropriate procedures to ensure the confidentiality of any market sensitive information submitted in an electrical corporation’s proposed procurement plan or resulting from or related to its approved procurement plan, including, but not limited to, proposed or executed power purchase agreements, data request responses, or consultant reports, or any combination, provided that the Office of Ratepayer Advocates and other consumer groups that are nonmarket

¹ D.06-06-066 at Ordering Paragraph 2.

² See D.08-04-023 at 20-24.

participants shall be provided access to this information under confidentiality procedures authorized by the commission.”

Further, General Order 66-C requires the Commission to protect confidential information that would place a utility at an “unfair business disadvantage” if it were publicly disclosed. It categorizes as information that is “not open to public inspection,” those “[r]eports, records, and information requested or required by the Commission which, if revealed, would place the regulated company at an unfair business disadvantage.”³

As discussed above, SCE is requesting that the confidential version of SCE’s Response to the Parties’ AFRs, in which the confidential information has been shaded in grey, be sealed because it includes information, specifically bid information and analysis involved in the scoring and evaluation of participating bids, which is confidential pursuant to the Matrix. In Exhibit SCE-2, Appendix A, titled “Witness Qualifications and Confidentiality Declarations,” the tables provided in the confidentiality declarations indicate where confidential information is found in SCE’s testimony and exhibits, a short description of the information, and the corresponding category in the matrix that grants confidentiality. The grey shaded information that has been identified as confidential in SCE’s Response to the Parties’ AFRs primarily references testimony and appendices that were previously admitted into the record as confidential at the evidentiary hearing for this proceeding on May 27-28, 2015. SCE has limited its redactions to information that is not already public, is covered by the matrix, and cannot be aggregated, redacted, summarized, masked, or otherwise protected in a way that allows partial disclosure. SCE offers the following table, which identifies the information SCE requests be sealed and the basis for SCE’s assertions.

³ General Order 66-C, Section 2.2(b).

Location/Title of Data	Matrix Category	Limitations on Confidentiality Specified in the Matrix
Bid information and analysis involved in the scoring and evaluation of participating bids from SCE's LCR RFO shaded in grey on pages 17-19	<p>Matrix Section VIII(A) – “Competitive Solicitation (Bidding) Information – Electric – Bid information”</p> <p>Matrix Section VIII(B) – “Competitive Solicitation (Bidding) Information – Electric – Specific quantitative analysis involved in the scoring and evaluation of participating bids</p>	<p>For bid information, total number of projects and megawatts bid by resource type public after final contracts submitted to CPUC for approval.</p> <p>Specific quantitative analysis involved in the scoring and evaluation of participating bids confidential for three years after winning bidders selected.</p>

In SCE's Response to the Parties' AFRs, SCE redacted confidential bid information and confidential analysis involved in the scoring and evaluation of participating bids from SCE's LCR RFO, which is protected under the Matrix. SCE is complying with the limitations on confidentiality specified in the Matrix for this data. SCE is only seeking confidential treatment of bid information that goes beyond the total number of projects and megawatts bid by resource type and analysis involved in the scoring and evaluation of participating bids. This information has not been made public, and cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure. The redacted confidential information is needed in SCE's Response to the Parties' AFRs.

II.

CONCLUSION

For all the foregoing reasons, SCE respectfully moves the Commission for an order directing that the confidential, market sensitive information appearing in the confidential version of SCE's Response to the Parties' AFRs, which has been redacted in the public version, shall be

placed under seal and shall not be made accessible or disclosed to anyone other than Commission staff.

Respectfully submitted,

JANET S. COMBS
TRISTAN REYES CLOSE

/s/ Tristan Reyes Close

By: Tristan Reyes Close

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July 18, 2016

VERIFICATION

I am the Director of Portfolio Planning & Analysis in the Power Supply Organization at Southern California Edison Company and am authorized to make this verification on its behalf. I have read the foregoing SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338 E) MOTION FOR LEAVE TO FILE THE CONFIDENTIAL VERSION OF ITS RESPONSE TO APPLICATIONS FOR REHEARING OF DECISION 16-05-050 UNDER SEAL. I am informed and believe that the matters stated in the foregoing pleading are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this **18th day of July, 2016**, at Rosemead, California.

/s/ Ranbir Sekhon

By: Ranbir Sekhon

SOUTHERN CALIFORNIA EDISON COMPANY

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A.14-11-016
(Filed November 21, 2014)

**ADMINISTRATIVE LAW JUDGE’S [PROPOSED] RULING ON SOUTHERN CALIFORNIA
EDISON COMPANY’S (U 338-E) MOTION FOR LEAVE TO FILE THE CONFIDENTIAL
VERSION OF ITS RESPONSE TO APPLICATIONS FOR REHEARING OF DECISION 16-05-
050 UNDER SEAL**

On July 18, 2016, Southern California Edison Company (“SCE”) filed a Motion for Leave to File the Confidential Version of its Response to Applications for Rehearing of Decision 16-05-050 Under Seal (“Motion”), seeking an order granting leave to file the confidential version of its concurrently filed Response to Applications for Rehearing of Decision 16-05-050 (“Confidential Information”) under seal. In accordance with the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, the Commission has considered SCE’s Motion. This ruling grants SCE’s Motion.

Accordingly, it is ORDERED that:

1. SCE’s Motion is granted. The Confidential Information that SCE seeks to protect is protected by the Matrix in Decision 06-06-066, Public Utilities Code Section 454.5(g), and General Order 66-C.
2. Public disclosure of the Confidential Information that SCE seeks to protect would cause imminent and direct harm to SCE and its customers, and therefore, the Confidential Information must be protected.

3. The Confidential Information, which confidential version has been submitted under seal, shall remain under seal and shall not be made accessible or disclosed to anyone other than Commission staff except pursuant to protective order or on the further order or ruling of the Commission, the assigned Administrative Law Judge (“ALJ”) or the ALJ then designated as Law and Motion Judge.

Dated _____, 2016, at San Francisco, California.

Administrative Law Judge